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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION N
10/669,366	09/25/2003	Jean Prevost	SWAB:006B	3376
6160	7590	10/28/2004	EXAMINER	
PARKHURST & WENDEL, L.L.P. 1421 PRINCE STREET SUITE 210 ALEXANDRIA, VA 22314-2805			ARYANPOUR, MITRA	
			ART UNIT	PAPER NUMBER
			3711	

DATE MAILED: 10/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Oath/Declaration

1. The reissue oath/declaration filed with this application is defective because it fails to contain the statement required under 37 CFR 1.175(a)(1) as to applicant's belief that the original patent is wholly or partly inoperative or invalid. See 37 CFR 1.175(a)(1) and see MPEP § 1414. in the instant case by reason of claiming less than the patentees had the right to claim in the patent.

2. The Preliminary Amendment filed 25 September 2003 proposes amendments to the claims that do not comply with 37 CFR 1.173(b), which sets forth the manner of making amendments in reissue applications. A supplemental paper correctly amending the reissue application is required. The proposed amendment are not in compliance because it is unclear whether the originally filed claims or the claims presented in the preliminary amendment are the ones that the applicant(s) want to be of record. Additionally, the claims do not comply with 37 CFR 1.173 since all new claims must be underlined entirely, with markings showing all the additions and deletions. However, it should be noted that the subject matter added during the reissue, must be removed without any bracketing. And cancelled claims must just say "Cancel claim X".

A shortened statutory period for reply to this letter is set to expire ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this letter.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitra Aryanpour whose telephone number is 703-308-3550. The examiner can normally be reached on Monday - Friday 9:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on 703-308-1513. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MA
14 October 2004


MITRA ARYANPOUR
PATENT EXAMINER